

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts

*Executive Office of Public Safety and
Security*

*Department of Correction
Massachusetts Correctional Institution
MCI-Cedar Junction at Walpole
2405 Main Street, P.O. Box 100
South Walpole, Massachusetts 02071*

*Telephone: (508)660-8000
Fax: (508) 660-8009
www.mass.gov/doc*



Luis S. Spencer
Commissioner

Peter A. Pepe Jr.
Katherine A. Chmiel
Deputy Commissioners

Paul L. DiPaolo
Acting Deputy Commissioner

James J. Saba
Superintendent

February 13, 2013

Attorney Bonita Tenneriello
Prisoners' Legal Services
10 Winthrop Square, 11th Floor
Boston, MA 02110

Re: Inmate Jwainus Perry, W83163

Dear Attorney Tenneriello:

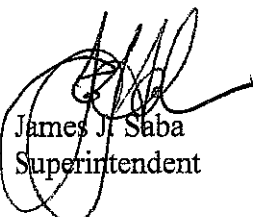
I am writing in response to your recent correspondence dated January 24, 2013 regarding your client, Jwainus Perry.

The Department of Correction has implemented a procedure to ensure that inmates on awaiting action status receive the process required by LaChance v. Commissioner of Correction, 463 Mass. 767 (2012). Hearings are being prioritized for inmates based on the length of time they have been held on awaiting action status. Each inmate will receive notice and the ensuing hearing in accordance with the schedule set forth by the facility.

Further, please be advised that Mr. Perry's placement in a Special Management Unit is appropriate and in compliance with the applicable regulation, 103 CMR 423, Special Management (.08)(f) pending classification. Mr. Perry is not housed in a Department Segregation Unit ("DSU"). Accordingly, the DSU regulation, 103 CMR 421 is not applicable.

I trust this adequately addresses your concerns.

Sincerely,


James J. Saba
Superintendent
JJS/kpo

cc: Abbe E. Nelligan, Deputy Superintendent of Classification & Programs (CJS13-160)